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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,852	12/01/2000	M.Cameron Watson	NCRC-0021-US(9261)	4243

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EXAMINER
MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
2175	

DATE MAILED: 06/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 06 June 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

<u>PERIOD FOR REPLY</u> [check either a) or b)]

a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.

2. ☐ The proposed amendment(s) will not be entered because:

    (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ they raise the issue of new matter (see Note below);

    (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.

4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: *See Continuation Sheet*.

6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.

7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: *1-9 and 11-31*.

    Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.

9. ☐ Note the attached Information Disclosure Statement(s)(PTO-1449) Paper No(s). _____.

10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: the applicant's arguments presented in the After Final amendment, filed on 06-June-2003 with respect to the cited references have been fully considered but are not found to be persuasive:.
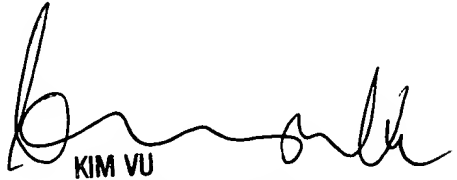
In response to the applicant's arguments that "the office action has failed to identify how the data partitions (located on disk drives of a DBMS) are related to the clients and servers disclosed in Reiner", and that "the disk drives for storing the data partitions of Reiner are located in a DBMS, and are not storage units associated with the clients and servers disclosed in Reiner", the arguments have been fully considered but are not found to be persuasive because Reiner teaches the DBMS having a "standard interface for processing queries to access those data records". The "data partitions" are used by the clients and servers as taught by Reiner (see column 2, lines 53-60.) Therefore, the disk drives are "associated" with clients and servers via the "standard interface" as taught by Reiner.

In response to the applicant's arguments that none of the cited passages "teach or suggest selecting less than all the plural data servers based on the partitioning of the data to reduce a number of data servers involved in processing the database query", the arguments have been fully considered but are not found to be persuasive, because Reiner teaches "the DBMS" responding to "selected queries" (see column 3, lines 34-35). In Reiner, "selecting less than all the plural databases" is read on a "driving table whose partitions will be targeted by subqueries generated in responding to an intercepted query". In this passage (column 3, lines 40-42), Reiner is selectively targetting partitions, as opposed to accessing all the partitions within the DBMS.

In response to the applicant's arguments that "even if they can be properly combined, the combination of Reiner and Nori does not teach or suggest the invention of claim 1", the arguments have been fully considered but are not found to be persuasive in view of the explanations and remarks made above.

In response to the applicant's argument that "there is no indication that the input parametes to the functions constitute information associated with at least one characteristic of the data" the argument has been fully considered but is not found to be persuasive, because Nori relates the set of parameters to functions and further explains that "one or more" of these "computer program functions" can be "incorporated into an application program that needs to manipulate nested tables" (see column 11, lines 25-38.) Therefore, the "data" containing "tables" being "manipulated" by the "functions", indicate that the "set of parameters" associated to the functions, are related to the characteristics of the data in the related tables.

In response to the applicant's argument that "the office action has provided no rationale regarding, how the teaching in Reiner with respect to decomposing a main query into plural subqueries can be combined with the teaching in Nori of storage of object collections such as nested tables and variable length arrays", the argument has been addressed by the examiner in the Final Rejection office action, mailed on 04-April-2003 (paper No. 6.) See page 16 of the Final Rejection office action (paper No. 6.) In this case, the examiner is establishing motivation in obviousness in the knowledge generally available to one of ordinary skill in the art, to modify the invention of Reiner with the teachings of Nori, as explained in the referenced office action.

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